

Request for Reconsideration

Applicants thank the Examiner for the careful consideration given this application. Reconsideration of this application is requested in view of the following remarks.

Claims 1-39 are currently pending in this application, of which Claims 1, 14, 23, 32, and 35 are independent claims.

At pages 2-7, the Office Action rejects Claims 1-3, 5, 6, 8-14, 16, 17, 19-23, 25, 26, 28-35, and 37-39 under 35 U.S.C. § 102(e) as being anticipated by Grube et al. (U.S. Patent No. 6,005,848; to be referred to hereinafter as “Grube ‘848”). The Office Action, at pages 8-9, also rejects Claims 4, 15, 24, and 36 under 35 U.S.C. § 103(a) as being unpatentable over Grube ‘848 in view of Grube et al. (U.S. Patent No. 5,553,314; to be referred to hereinafter as “Grube ‘314”). Finally, at page 9, the Office Action rejects Claims 7, 18, and 27 under 35 U.S.C. § 103(a) as being unpatentable over Grube ‘848 in view of Chow et al. (U.S. Patent No. 6,785,560). These rejections are respectfully traversed for at least the following reasons.

Each of the independent claims (Claims 1, 14, 23, 32, and 35) includes the limitations that a wireless communication device be addressable by a public-switched telephone network (PSTN) coupled to the wireless network (in which the wireless device resides) using a first identification number and that the wireless be addressable by a peer device associated with the wireless network using a second identification number. The Office Action asserts that these limitations are taught by Grube ‘848 in col. 3, lines 26-40 and col. 4, lines 30-50. Applicants respectfully disagree.

First, col. 3, lines 26-40 are addressing a procedure for establishing a “talkgroup” call, in which “the request includes an identification of the requesting subscriber unit and an identification of the talkgroup for which communications are to be established.” Col. 3, lines 31-34. *Neither of these identifications is being used to address a particular wireless communication device of the wireless network.* In the first case, the requesting subscriber unit is identifying itself; in the second case, the requesting subscriber unit is identifying a talkgroup (defined at col. 1, lines 16-18 as “a set of logically united subscriber units . . . capable of engaging in group-wide communications”).

Then, col. 4, lines 30-50 (see, also, col. 2, lines 15-20 and 49-58) discusses the use of inbound and outbound codes. The inbound codes are a pseudo-noise (PN) codes associated with subscriber units for uplink communications to a fixed infrastructure 103 of the wireless communication system (note that this is not the public-switched telephone network (PSTN), as asserted in the Office Action, but is rather part of the wireless system). Col. 2, lines 15-20 and 49-58. An outbound code is a PN code associated with the entire talkgroup for downlink communications from the fixed infrastructure 103 to the subscriber units of the talkgroup. Hence, neither of these codes is being used to address a particular wireless communication device.

In some of the claims (e.g., Claims 14, 23, and 32), it is further stated that the identification numbers be uniquely associated with the wireless communication device. These claims are, therefore, further differentiated from Grube ‘848, noting the discussion above (i.e., it is apparent that at least the outbound code provides for common communications and is thus not uniquely associated with a wireless communication device).

Further review by Applicants of Grube '848, as well as Grube '314 and Chow et al. has failed to locate disclosures or suggestions that would address the above-identified shortcomings of the cited portions of Grube '848. Therefore, it is respectfully submitted that, for at least the reasons discussed above, Claims 1-39 are allowable over the cited references, and it is respectfully requested that the rejections be withdrawn.

Applicant may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.


Conclusion

Applicants believe that the above remarks address all of the grounds for rejection and place the application in condition for allowance. Applicants, therefore, respectfully request prompt and favorable consideration of this Response and reconsideration of this application.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

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